	Application No.	Applicant(s)
Notice of Allowability	10/006,310	DANIELS ET AL.
	Examiner	Art Unit
	Prieto Beatriz	2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *5/22/06*.

2. ☒ The allowed claim(s) is/are *1-3,6-9,11,12,14-18 and 38*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some*   c)☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date *09/03*

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

BEATRIZ PRIETO
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1.   An Examiner's Amendment to the record appears below. Should the changes or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

Claims

2.   Authorization for this examiner's amendment was given by Thomas Scherer (Reg. 45,079) on August 29, 2006 to correct noted minor informalities.

3.   Any comments Applicants considers necessary must be submitted no later than the payment of the Issue Fee and to avoid processing delays, should preferable accompany the Issue Fees. Such submission should be clearly labeled " Comments on Statement of Reasons for Allowance". In event of any post-allowance papers (e.g. IDS, 312 amendment, petition, etc.), Applicant is exhorted to mail papers to the Production Control branch in Publications or faxed to post-allowance papers correspondence branch at (703) 308-5864 to expedite issuing process or call PUB's Customer Service if any questions at (703) 305-8497.

SEE BELOW AMENDMENTS TO THE CLAIMS.

Please amend the claims as follows.

1.   (Previously Amended) A distributed system having a client and a server, comprising:

        a state manager interposed between the client and a service component, the state manager having a capability to generate a list of a plurality of data attributes required to represent a state of an application in the distributed system, request the service component to obtain the plurality of data attributes on the list, and cache the plurality of data attributes such that the plurality of data attributes are locally accessible to the client; and

        the service component interposed between the state manager and the server, the service component having a capability to fetch the plurality of data attributes from the server based on the list,

        wherein the cache comprises a plurality of proxies, and

        wherein each of the plurality of attributes is stored in one the plurality of proxies.

2.   (Previously Presented) The distributed system of claim 1, further comprising a transport mechanism interposed between the state manager and the service component, the transport mechanism having a capability to package the plurality of data attributes for transport between the state manager and the service component.

3.   (Previously Presented) The distributed system of claim 1, wherein the state manager comprises means for learning the plurality of data attributes required to represent the state of the distributed system.

4-5   (Cancelled)

6.   (Previously Amended) The distributed system of claim 1, wherein the state manager further comprises means for generating a list of the plurality data attributes that have changed in the plurality of proxies.

7.   (Previously Amended) The distributed system of claim 6, wherein the service component comprises means for updating data using the list of the plurality of data attributes changed in the plurality of proxies.

8.   (Original) The distributed system of claim 1, wherein the state manager further comprises means for generating an executable instruction comprising a set of method calls to be executed on the server.

9.   (Original) The distributed system of claim 8, wherein the service component comprises means for interpreting the executable instruction.

10.   (Cancelled)

11.   (Currently Amended) A distributed performance optimizer for a distributed application, comprising:

a client portion operatively connected to a client configured to generate a list of a plurality of data attributes required to represent a state of the distributed application, request a server portion to obtain the plurality of data attributes on the list, and cache the plurality of data attributes; and

the server portion operatively connected to a server configured to fetch the plurality of data attributes from the server based on the list,

wherein the client portion is interposed between the client and the server portion, and wherein the server portion is interposed between the client portion and the server,

wherein the cache comprises a plurality of proxies, and

wherein each of the plurality of data attributes is stored in one the plurality of proxies.

12.   (Previously Presented) The distributed performance optimizer of claim 11, further comprising a transport means that packages the plurality of data attributes for transport between the server portion and the client portion.

13.   (Cancelled)

14.   (Previously Amended) The distributed performance optimizer of claim 11, wherein the client portion further comprises means for tracking changes made to the plurality of data attributes cached in the plurality of proxies.

15.   (Previously Amended) The distributed performance optimizer of claim 14, wherein the service component comprises means for synchronizing the plurality of data attributes cached in the plurality of proxies.

16.   (Previously Amended) The distributed performance optimizer of claim 12, wherein the client portion further comprises means for collecting information about the plurality of data attributes accessed in the plurality of proxies.

17.   (Original) The distributed performance optimizer of claim 12, wherein the client portion further comprises means for generating an executable instruction comprising a set of method calls to be executed on the server.

18.   (Original) The distributed performance optimizer of claim 17, wherein the service portion comprises means for invoking the executable instruction.

19 - 37. (Canceled)

38.   (Currently Amended) The distributed system of claim 3, wherein the state manager comprises means for prefetching the plurality of data attributes based on learning which of data attributes are used to represent the state.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Andrew T. Caldwell can be reached at (571) 272-3868. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see http://pair-direct.uspto.gov or the Electronic Business Center at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
      Commissioner of Patents and Trademarks
      P.O. Box 1450
      Alexandria, VA 22313-1450

Hand carried or delivered to:
      Customer Service Window located at the Randolph Bldg.
      401 Dulany St.
      Alexandria, VA 22314

Faxed to the Central Fax Office:
      (571) 273-8300 (New Central Fax No.)

    Or Telephone:

      (571) 272-2100 for TC 2100 Customer Service Office.

BEATRIZ PRIETO
PRIMARY EXAMINER

B. Prieto
Primary Examiner
TC 2100
August 29, 2006